

### **DETAILED ACTION**

1. Applicants' response filed on 6/3/2010 amended independent claim 1, cancelled claims 10-11 and added new, independent claim 13. Applicants' amendments in light of their arguments including the Declaration under 37 CFR 1.132 signed by Patrick Mosier filed 6/2/2010 are persuasive and, therefore, the 35 USC 103 rejection over Blythe in view of Chamberlin made in the previous office action is withdrawn. For the reasons stated below, claims 1-5, 7-9 and 12-13 are in allowable condition.

### **Examiners Amendment**

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

A) In the middle of line 1 on page 1 of the specification after the phrase, "This application claims priority from:

Add the phrase, "a 371 of PCT/US03/11955, filed 04/17/2003 which claims benefit of . . . ."

### ***Allowable Subject Matter***

3. The following is an examiner's statement of reasons for allowance:

As evidenced by the prior art references of record, it is well known in the art to use dispersants, including condensation products of isostearic acid and

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tetraethylene pentamine, in combination with additional dispersants, including Mannich reaction products, and aromatic amine antioxidants, together in lubricant compositions. However, direct fuel injection two-stroke engines require high performance lubricants which provide excellent performance and lower oiling rates. Applicants' claimed composition has a restricted nitrogen content of about 0.25 to about 0.75 % by weight, and does not contain any additives that contribute a significant amount of ash to the lubricating oil composition, and are still able to maintain the additive properties desired in a lubricant composition. The prior art lubricants show ranges that overlap those of the instant claims but the art does not show the synergy in terms of deposit control for the compounds of instant claims 1 and 13.

The applicants' instant invention does demonstrate unexpected results and the claims are commensurate in scope with the data provided. Unexpected results are demonstrated in terms of reduction of ring groove build, piston varnish and total deposits which in turn prevents ring jacking, engine seizure and enhances engine durability.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to VISHAL VASISTH whose telephone number is (571)270-3716. The examiner can normally be reached on M-R 8:30a-5:30p.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Caldarola can be reached on (571)272-1444. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

VVV

/Ellen M McAvoy/  
Primary Examiner, Art Unit 1797